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On Behalf of Airports Council International - North America (ACI-NA) and AAAE
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9/11 Commission Report: Review of Aviation Security Recommendations
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On behalf of the men and women who manage and operate America's airports, I appreciate the opportunity today to discuss the aviation security-related recommendations included in the report of the 9/11 Commission. Since the tragic attacks on our country nearly three years ago, the airport community has sought actively to partner with the federal government to enhance security at airport facilities across the country. We have learned some valuable lessons along the way that we hope will be instructive as this subcommittee and the Congress consider the important work of the 9/11 Commission and as we together work to enhance aviation security. If successful, we will ensure the continued vitality of the nation's aviation system.

AAAE is the world's largest professional organization representing the men and women who manage primary, commercial service, reliever and general aviation airports. ACI-NA represents the local, regional and state governing bodies that own and operate commercial airports in the United States and Canada.

I want to acknowledge the important contributions that this subcommittee and the Transportation and Infrastructure Committee have made to enhancing aviation security in recent years. From the passage of the Aviation and Transportation Security Act in the wake of the 9/11 attacks through the enactment of the VISION-100 FAA reauthorization legislation and beyond, you have aggressively overseen transportation security efforts in our country and actively sought the input of the airport community. We sincerely appreciate the opportunity for an open and productive dialogue, and look forward to continuing our work to provide world-class security and customer service. These twin goals are crucial to protecting our nation's aviation system, which remains so critical to our economy, our standard of living, and our way of life.

Below, our testimony addresses a number of the key Commission recommendations affecting airports.

Commission Recommendation:

Hard choices must be made in allocating limited resources. The U.S. government should identify and evaluate the transportation assets that need to be protected, set risk-based priorities for defending them, select the most practical and cost-effective ways of doing so, and then develop a plan, budget, and funding to implement the effort. **The plan should assign roles and missions to the relevant authorities (federal, state regional and local) and to private stakeholders....**

Airport Response:

Federal/Airport Cooperation and Collaboration Are Key to Improved Security

Airports and local law enforcement have significant security responsibilities that augment those possessed by the federal government. We all should work to leverage off the security assets and resources each brings to the effort. As you know, the Aviation and Transportation Security Act established the Transportation Security Administration (TSA) and gave the agency direct regulatory and operational responsibilities over passenger and baggage screening. These functions include the hiring, training, and assignment of passenger and baggage screeners as well as the regulatory function of testing, enforcing, and evaluating the success of the program. Prior to that time, operational responsibilities fell largely to the airlines that operated the screening functions, and enforcement fell to the Federal Aviation Administration.

Under the current regulatory regime, airports recognize that they have a tremendous stake as well as the experience and a legal obligation in serving as an active partner with the TSA to meet the requirements of the law and to ensure that every effort is undertaken to achieve the highest levels of security, customer service, and system efficiency. Our airport members have continuously sought to work with TSA to tackle problems relating to passenger and baggage screening, and we continue to work to tackle long-term challenges. Nowhere is this more important than with the permanent installation of explosive detection equipment “in-line” at airports across the country, which is one of the notable recommendations included in the 9/11 Commission report and is addressed later in our testimony.

It is also important to note that airports, along with our partners in local law enforcement, have always exercised direct responsibilities in areas of airport security beyond baggage and passenger screening, such as perimeter security, access control, airport parking and terminal security. Airports and our local government partners have performed these functions exceptionally well, and we believe strongly that these responsibilities must remain at the local level. Keeping fundamental local responsibilities in local hands has the added advantage of allowing the TSA to leverage airport and local resources and enables the agency to better focus on its core missions of baggage and passenger screening and providing intelligence to local law enforcement.

It is also worth noting that this approach is consistent with the recommendation of the Commission to more effectively allocate limited transportation security resources and to assign roles and missions to relevant authorities. Given the public and governmental nature of airports, it simply makes no sense from security or resource allocation standpoints for the federal government to assume roles traditionally reserved for local authorities. It is our hope that those in the federal government that have repeatedly shown an appetite to get into these areas will heed the Commission’s recommendations to utilize the expertise and resources of relevant local and airport authorities. Partnering with airports is a must for good security given the serious budget constraints facing the federal government and its broad security mandate that extends well beyond aviation.

As we look to the future, the airport community firmly believes that the key to continued improvements in aviation security lies in developing a more effective and productive partnership between airport operators and the federal government. Airports are public institutions and therefore have the necessary and appropriate incentives to perform security responsibilities at the highest levels. The primary mission of an airport is to establish and maintain a safe and secure environment for travelers and the general public and to serve the community and the national aviation system by encouraging competitive air service.

Given the similar security mandates and missions that airports and the federal government share, it is prudent that the federal government make every effort possible to reach out to airports and seek their input in solving challenges. The best path forward to designing the most effective and efficient airport security apparatus is one paved by cooperation and where federal resources are coupled with local experience and management. And, just as important, approaches to security must be based on detailed, location-by-location assessment of risk, not a “one-size-fits-all” template that bears no relationship to the nature or magnitude of the threat locally. This is one more reason why there must be close, on-going, day-to-day cooperation between federal, state and local security and law enforcement efforts.

Commission Recommendation:

“The TSA should expedite the installation of advanced (in-line) baggage-screening equipment. Because the aviation industry will derive substantial benefits from this deployment, it should pay a fair share of the costs.”

Airport Response:

Permanent Installation of EDS Equipment Will Enhance Security, Free Resources

Beyond developing a more balanced federal-local partnership, we believe that the one area that offers the most promise in dramatically improving aviation security while freeing up federal resources to address other shortcomings addressed in the Commission report is the permanent installation of explosive detection equipment “in-line” as part of integrated baggage systems at airports across the country. We are gratified to see that the Commission report recognizes that fact and urges the TSA to “expedite the installation of advanced (in-line) baggage-screening equipment.”

Thomas Kean, the Chairman of the 9/11 Commission, recently testified before the Senate Commerce Committee on the Commission’s recommendations for enhancing transportation security. During his opening remarks, Chairman Kean elaborated on why the Commission is calling for in-line EDS systems:

The Commission supports an effort to move explosives units out of airport lobbies and into a secured area where they can be integrated into the process of moving the

bags from the check-in counter to the loading area in a seamless in-line process. This will promote greater security because: screening machines will not be exposed to the public; screeners will be able to focus on screening bags rather than moving them; and fewer people will be congregated around machines in the public area. Moreover, processing bags from checking to loading will through an in-line system is functionally more efficient making travel more convenient as well as more secure.

We agree with the Commission's assessment that integrating EDS machines with baggage systems will enhance aviation security. As we have pointed out repeatedly in testimony before this subcommittee, the challenge before us all now is to find the \$4 billion to \$5 billion needed at airports across the country to reinforce flooring, make electrical upgrades, and construct the facilities needed to make in-line systems a reality rather than a critical goal for which no one can find a way to pay.

While we have progress at the nine airports that have been issued LOIs, thanks to the efforts of this subcommittee, many more airports have plans ready to go and are asking for federal partnership. There are very clear security, safety, customer service and economic benefits that can be achieved by immediately investing to make the terminal modifications necessary to accommodate EDS equipment as acknowledged in the 9/11 Commission report. It is our sincere hope that Congress and the Administration will find a way of devoting resources to this purpose far beyond the \$250 million that the Administration requested for fiscal year 2005. In addition to continuing to push the federal government to meet its responsibility in this area, we look forward to working with the subcommittee to find creative approaches to install in-line EDS systems at additional airports across the country.

A number of airports have already stepped up to the financial plate to get EDS installation projects underway through the Letter of Intent (LOI) process. These allow airports to provide immediate funding for key projects with a promise that the federal government will reimburse the airport for those expenses over several years. Airports contend that the costs of these projects should be met entirely by the federal government, given the direct federal responsibility for baggage screening.

However, in light of national security imperatives and the economic efficiencies of this strategy, airports have committed to fund 10 percent of eligible project costs in accordance with the law. This local match -- coupled with Airport Improvement Program funds that airports have used to pay for security projects in recent years and increased airport operational expenses related to security -- should constitute more than our fair share. Again, it is our hope that the Administration will become more proactive in following the 9/11 Commission's recommendations by awarding additional LOIs to more airports and that Congress will take action to ensure that airports have the funds they need to install in-line EDS equipment.

Mr. Chairman, in addition to enhancing aviation security, the permanent installation of EDS equipment in airports will save valuable federal resources. It is a perfect example where the federal government cannot afford to be penny-wise and pound foolish. While

it is true that the procurement and installation of EDS systems will require significant upfront expenses, those capital costs are relatively modest when compared to the extraordinary operational expenses necessary to pay for literally thousands of extra screeners, year after year, using today's model. Michael Gobb, the Executive Director of the Blue Grass Airport in Lexington, Kentucky, recently testified before this subcommittee about how the installation of an in-line system at his small hub airport paid for itself in less than 16 months and is currently saving TSA \$3 million per year in personnel costs.

The Commission report correctly indicates that limited security resources should be used in cost-effective ways. The permanent installation of in-line EDS equipment in airports around the country will enhance aviation security and save limited federal resources. As Chairman Kean recently indicated, installing in-line EDS systems "will take time and money but we should be get about the business of making it happen."

Commission Recommendation:

The Department of Homeland Security, properly supported by the Congress, should complete, as quickly as possible, a biometric entry-exit screening system, including a single system for speeding qualified travelers. It should be integrated with the system that provides benefits to foreigners seeking to stay in the United States. Linking biometric passports to good data systems and decisionmaking is a fundamental goal....

Airport Response:

Screening Systems Need to Enhance Security and Facilitate Legitimate Travel

AAAE and ACI-NA are supportive of both initiatives in the recommendation: an entry/exit system as well as a "registered" or "qualified" traveler program. The first phase of the USVISIT (entry/exit system) program was launched on January 5, 2004 with the Department of Homeland Security (DHS) deploying new biometric entry capabilities at 115 airports and 14 seaports nationwide to handle passengers with visas. While the entry procedures have been relatively trouble free, the U.S. government needs to ensure that Customs and Border Protection has the staff and other resources necessary to handle the addition of millions of Visa Wavier Program passengers starting September 30.

Biometric departure confirmation systems were initially limited to two locations—Baltimore and Miami's Royal Caribbean Cruise Terminal. Twelve additional airports—Chicago, Dallas, Denver, Detroit, Ft. Lauderdale, Atlanta, San Juan, Newark, Philadelphia, Phoenix, San Francisco and Seattle—have been selected for testing alternative exit technologies, either with kiosks or at the passenger departure gate.

The testing period will run through October and be followed by an evaluation period. It is our belief that the most effective placement in almost every case will be at the departure gate. Given the co-mingling of departing international and arriving domestic

passengers at many U.S. airports, it will be extremely difficult to ensure that an exiting US-VISIT passenger actually departs the country unless the exit processing is located at the aircraft jetway and the exit process is integrated with the airlines' gate boarding pass readers.

The exit phase presents a host of different challenges because it will insert a new process, equipment and staff into airports, where previously there were no governmental requirements or personnel. Unlike airports in most other parts of the world, U.S. airports have not been designed or built to accommodate passenger departure controls, and most U.S. international gateway airports also have substantial domestic traffic. The success of the exit procedures will depend in large measure on an understanding of the unique physical and traffic configurations of each individual airport, which will require meaningful consultation between DHS and US-VISIT personnel with airport officials. We applaud the level of cooperation and consultation to date and look forward to continuing this relationship throughout the testing and implementation phases of the program.

A robust qualified or registered traveler program is another tool that will help balance system efficiency and security. A relatively small number of frequent travelers comprise nearly half of the annual enplanements in the U.S. and a system allowing those travelers to undergo background checks and avoid selectee-designation and secondary screening will be a useful tool in resource allocation for passenger screening. Testing is underway and we urge DHS to move expeditiously on this issue.

Conclusion --The Promise of Technology

As the Commission report rightly points out, technology—whether biometrics for entry-exit systems of access control, screening of passengers for explosives, scanning technology for containers, or for registered traveler programs—holds great potential toward enhancing security and limiting passenger inconvenience. Here, the federal government needs to take the lead in moving our transportation system toward the promise of new technology. It must invest now to make those promises a reality. The government must encourage innovation in these areas and make it a priority to investigate and approve new technology as quickly as possible.

We also believe that it is extremely important in terms of security, cost-effectiveness and timeliness to build upon existing airport and airline infrastructure as much as possible with the incorporation of new technology. Whether utilizing biometrics as part of access control systems, building explosive detection capabilities into passenger screening areas, or enhancing cargo screening operations at airports, it is clear that we must build systems that incorporate existing airport and airline infrastructure to the largest extent possible.

We must also look beyond our borders to learn from the experiences of the rest of the world. In many instances, the goals that we have been discussing over the course of the past several years both in terms of operations and technology are already a reality in many places. We would be wise to study those successes and incorporate best practices

where appropriate. Where possible, we should also work to increase the acceptance of international standards that will help security and allow nations to leverage off sound security systems in others. This recognizes that aviation is an international industry, one in which national standards are only second-best solutions.

As the Commission report properly notes, we have reached a time for reflection and reevaluation in the wake of the tragic events of 9/11. Over the course of the past several years, the role of airports, airlines, and the federal government with regard to aviation security has changed dramatically with the federal government assuming a greatly expanded presence, particularly with regard to passenger and baggage screening.

Much of what has occurred in recent years has centered on the need to meet strict mandates and deadlines established in the law to create a fully federal workforce for airport screening duties and to screen all checked baggage placed aboard commercial flights. The challenge before all of us now is to shift from the reactive mode we have taken toward security to a proactive approach that achieves better security in a smarter, quicker, more efficient manner.

This can best be accomplished by building a framework of cooperation and collaboration between the federal government and airports, by moving quickly to permanently install EDS equipment “in-line” and by encouraging investments in new technologies, among other priorities. We look forward to continuing our work with the subcommittee to make those goals a reality.